

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

17 Cr. 417 (AKH)

ALI KOURANI,
a/k/a "Ali Mohamad Kourani,"
a/k/a "Jacob Lewis,"
a/k/a "Daniel,"

Defendant.

I, EMIL J. BOVE III, pursuant to Title 28, United States Code, Section 1746, declare under penalty of perjury:

1. I am an attorney admitted to the bar of the State of New York and the bar of this Court, and one of the Assistant United States Attorneys for the Southern District of New York responsible for this matter. I respectfully submit this Declaration in support of the Government's January 29, 2018 opposition to the three pretrial motions filed by the defendant on or about January 8, 2018.

2. Based on my review of records provided by the Queens County District Attorney's Office, it is my understanding that: (i) on or about November 8, 2013, the defendant was arrested in Queens County and charged with, among other things, trademark counterfeiting in the second degree, in violation of New York Penal Law Section 165.72; and (ii) on or about May 6, 2014, the defendant pleaded guilty to a lesser-included offense and was sentenced to a conditional discharge and a \$250 fine. Attached hereto as Exhibit A is a copy of the Complaint, filed on or about November 8, 2013, charging the defendant in the Criminal Court of the City of New York.

3. Based on conversations with Special Agent Joseph Costello of the FBI, it is my understanding that Mark Denbeaux exchanged a series of text messages with Special Agent Costello between on or about March 23, 2017 and on or about March 24, 2017. A copy of certain of those text messages is attached hereto as Exhibit B.

4. Attached hereto as Exhibit C is the May 31, 2017 Complaint, docketed 17 Mag. 4151 (S.D.N.Y.), charging the defendant with eight terrorism-related offenses.

5. Attached hereto as Exhibit D is the May 31, 2017 Application for a Search and Seizure Warrant and related Search and Seizure Warrant authorizing a search of the defendant's apartment.

6. Based on conversations with Special Agent Joseph Costello, it is my understanding that law enforcement personnel searched the defendant's apartment, pursuant to the above-referenced warrant, on or about June 1, 2017. Attached hereto as Exhibit E is a copy of notes seized in connection with the search, which appear to have been written by the defendant, with red annotations identifying the words "ESO" and "evaluate your interrogation" on the first page and "extradite him" on the second page.

7. Attached hereto as Exhibit F is a copy of a May 19, 2017 Application for a Search Warrant for Stored Electronic Communications and the related Search Warrant.

8. Attached hereto as Exhibit G is a copy of a June 6, 2017 Agent Affidavit in Support of Application for Search Warrants and Stored Electronic Communications and the related Search Warrants.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing information is true and correct.

Dated: New York, New York
January 29, 2018



EMIL J. BOVE III
Assistant United States Attorney